

Memorandum

City of Las Vegas Neighborhood Services Department

To: Beverly Bridges, CMC, City Clerk
From: Devin S. Smith, Manager – Neighborhood Response Division
CC: File
Date: July 27, 2009
Re: Report of Expenses for the abatement of nuisance located at 4931 Vermont Avenue - Ward 1 (Tarkanian)

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of \$120.00 if the nuisance violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a \$180 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$180 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$180 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand (\$1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 or \$1000 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all refuse and waste from all yards, all items stored in all yards, repairing damaged wood fence, removing unpermitted metal fencing extension from wood fence, unpermitted metal shed from rear/side yard area, unpermitted wood fencing from west side yard area, green/gray GMC truck, all vehicles from rear/side yard area, all high weeds from all areas, and unpermitted metal fence from front yard. Numark Investigations LLC served legal papers on February 15, 2009 at a cost of \$45.00. The abatement was completed by American Demolition on April 17, 2009 at a cost of \$2,075.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Remove all refuse and waste from all yard areas	\$500.00
Remove all items stored in front yard and excessive amount of items from all yards	\$500.00
Repair damaged wood fence	\$100.00
Remove unpermitted metal fencing extension from wood fence	\$75.00
Remove unpermitted metal shed from rear/side yard area	\$125.00
Remove unpermitted wood fencing from west side yard area	\$75.00
Remove green/gray GMC truck	\$100.00
Remove all vehicles from rear/side yard area	\$300.00
Remove all high weeds from all areas of property	\$100.00
Remove unpermitted metal fence from front yard	\$200.00
Numark Investigation LLC	\$45.00
AMOUNT DUE:	\$2,120.00
Administrative Processing Fee:	\$318.00
Sub-Total:	\$2,438.00
Reinspection Fees (w/late fees):	\$528.00
Civil Penalties:	\$450.00

TOTAL AMOUNT DUE:	\$3,416.00
Daily Civil Penalties – 121 days @ \$500 a day (excluding civil penalty fees already assessed) December 18, 2008 to April 17, 2009	\$60,050.00
MAXIMUM TOTAL:	\$63,466.00
OWNER OF RECORD:	GERALD L & LANA G CHARLEBOIS
PROPERTY ABATED:	4931 Vermont Avenue
ASSESSOR PARCEL:	138-25-713-082
LEGAL DESCRIPTION:	LAS VEGAS SQUARE
	PLAT BOOK 1 PAGE 96
	LOT 39 BLOCK 10 & LOT 40

DSS:jl